

BY AUTHORITY

ORDINANCE NO. 125.

AN ORDINANCE PROVIDING FOR COST OF IMPROVEMENTS IN FRONTAGE IMPROVEMENT NUMBER NINE, BERETANIA STREET, (ALAPAI TO PUNAHOU).

Be It Ordained By the People of the City and County of Honolulu:

SECTION 1. DEFINITIONS. The word "BOARD" whenever used herein shall mean the Board of Supervisors of the City and County of Honolulu.

The phrase "FRONTAGE IMPROVEMENT" whenever used herein shall mean Frontage Improvement Number Nine, Beretania street, (Alapai to Punahou), as described in and created by Resolution of the Board No. 2, (1917).

The phrase "IMPROVEMENT STATUTES" whenever used herein shall mean and refer to Sections 1793-1815, Revised Laws of Hawaii, 1915, as amended by Acts 164 and 197, Session Laws of Hawaii, 1915, and by Act 235 of the Session Laws of Hawaii, 1917.

The phrase "CITY AND COUNTY" whenever used herein shall mean and refer to the City and County of Honolulu.

SECTION 2. PRELIMINARY PROCEEDINGS CONFIRMED. The said Board does hereby adopt, approve and confirm all and singular the proceedings heretofore had and taken under said statutes with respect to the creation and establishment of said Frontage Improvement and the making of the proposed improvement as modified and corrected and as set forth and referred to in Resolutions of said Board Nos. 633, 634 (1916), and 2, 5, 25, 26 and 62 (1917), and the minutes of meetings of said Board as heretofore adopted, the preliminary report of the City and County Engineer, dated November 8, 1916, his final report, dated July 9, 1917, and the assessment report of the City and County Engineer, dated September 11, 1917, accompanying which were the corrected map of said Frontage Improvement, the list of owners, lessees and occupants so far as known, a Preliminary Assessment Roll and a summary of detailed descriptions, in respect to which notice has heretofore been given by advertisement and a public hearing has been had as required by said improvement Statutes, and that the said assessment roll, as corrected, and as set forth in the preliminary report of the City and County Engineer, dated September 11, 1917, to all of which reference is hereby made for a more particular detailed description of said Frontage Improvement heretofore created and established, and the character, extent and particular location of the improvement aforesaid, the subdivisions and zones thereof, the location of the respective parcels of land subject to assessment, the special benefits accruing therefrom, the properties exempt from assessment, and the proportion to be paid by said City and County; all of the same being by this reference also made a part hereof.

SECTION 3. CONFIRMATION OF ASSESSMENTS. No protests having been made, or filed at the assessment hearing held for this Frontage Improvement, but a correction having been necessary and made by the City and County Engineer as of October 9, 1917, it is hereby specially found and established that each and every parcel of land subject to assessment abutting upon said Frontage Improvement is or will be specially benefited by said improvements to the amount of the respective assessments proposed therefor, corrected as aforesaid, and said several assessments are hereby declared just and equitable as so listed and advertised, and as corrected; and that the said several proposed assessments heretofore listed and advertised in accordance with said improvement Statutes, and as so corrected, are hereby confirmed and adopted as and for the assessments against properties abutting upon said Frontage Improvement and against the owners thereof respectively, and that each and every parcel of land required for said improvement has been acquired as provided in said improvement Statutes.

SECTION 4. COST OF AUTHORIZED IMPROVEMENTS. That it is hereby found and declared that the total cost of the authorized improvements in said Frontage Improvement, based upon the bid of Lord-Young Engineering Company, Limited, the lowest responsible bidder, including the cost of curbing, grading, paving with concrete and bitulithic, moving and resetting of curbs, storm sewer system, and other improvements in place complete, together with engineering and incidentals upon that portion of the highway, in said Frontage Improvement, which is designated in these proceedings, according to the final report of said Engineer, incorporated as aforesaid, is the sum of One Hundred Seventy Thousand and Five Hundred Dollars (\$175,000.00); that the total proportion of this cost, which is to be borne by the City and County, including assessments proportioned against street frontages, and the contribution to main thoroughfare is the sum of Sixty-one Thousand Six Hundred Three and 11-100 Dollars (\$61,003.11); that the balance of Fifty-five Thousand Eight Hundred Ninety-five and 89-100 Dollars (\$55,895.89), is hereby charged, assessed and levied against, and shall be collected from, the properties abutting upon said Frontage Improvement privately owned and not specifically exempted by this Ordinance, and the owners thereof respectively, according to the total amounts heretofore listed and advertised and corrected as aforesaid and computed according to the rates of assessment hereinafter set forth.

SECTION 5. PUBLIC LANDS NOT SPECIFICALLY ASSESSED. The Frontage of Lots Nos. 1, 2, 18, 19, 22, 23, 24, 25, 26, 27, 41, 46, 50, 76, 77, 82, 85, 93 and 94, being frontages of abutting highways and of lands exempt by law, as shown on said corrected map and Assessment Roll of September 11, 1917, heretofore incorporated, shall not be specifically assessed herein, but the proportion of cost assessable against such public or exempt land set forth in the proceedings heretofore confirmed and which would be assessable against such lands if privately owned and not exempt shall be borne by the City and County as hereinafter provided.

SECTION 6. APPROPRIATION BY CITY AND COUNTY. The sum of Fifty-two Thousand Dollars (\$52,000) is hereby appropriated out of all

moneys in the Cash Basis Operating Fund, as authorized and created by virtue of Act 236 of the Session Laws, 1917, into the "Special Improvement Fund, Frontage Improvement Number Nine, Beretania Street, (Alapai to Punahou);" provided, however, that against said sum shall be credited all advances for said improvements made from said Cash Basis Operating Fund prior to the date of the approval of this Ordinance to be ascertained from the books of the City and County Auditor, and the amount of such advances is hereby authorized to be transferred as soon as ascertained to said Cash Basis Operating Fund; and the sum of Nine Thousand Six Hundred Three and 11-100 Dollars (\$9,603.11) is hereby appropriated out of all moneys in the Permanent Improvement Fund in the Treasury of the City and County, and shall be transferred as soon as the same shall become available into said Special Improvement Fund, created herein, as the balance of the cost of said improvement so to be borne by the City and County; provided, that against said last mentioned sum shall be credited all advances heretofore made from said Permanent Improvement Fund on account of the cost of said improvement by Resolutions Nos. 405 and 721 (1916), and No. 15 (1917), amounting in all to the total sum of Five Hundred and Eighty-nine and 60-100 Dollars (\$589.60), and any balances unexpended or uncontracted for out of said advances on the date of approval hereof shall be transferred to said Permanent Improvement Fund when ascertained on the books of said City and County Auditor; and out of all moneys in said Special Improvement Fund, created herein, the sum of One Hundred Seventy Thousand and Five Hundred Dollars (\$175,000.00), is hereby appropriated into an account to be known as "Cost of Improvements, Frontage Improvement Number Nine, Beretania Street, (Alapai to Punahou)."

SECTION 7. ASSESSMENT RATE FOR GENERAL IMPROVEMENTS. All properties, abutting on said Frontage Improvement (created as aforesaid), privately owned and not herein specifically exempted, and the owners thereof respectively, are hereby assessed at a uniform rate of \$6.466 per front foot toward the cost of general improvements within said Frontage Improvement, all as set forth in detail in said Assessment Roll and Corrected heretofore incorporated and included in the proceedings heretofore adopted and confirmed, saving and excepting the cost of new curbing.

SECTION 8. ADDITIONAL ASSESSMENT, NEW CURBING. All properties abutting upon said Frontage Improvement, privately owned and not specifically exempted herein, in front of which new curbing is required, and the owners thereof respectively, are hereby further and separately assessed (on a frontage basis according to the length of new curbing required, shown in detail in said Engineer's Report of September 11, 1917), at the uniform rate of \$0.44 per front foot for the curb so required in front of said property.

SECTION 9. COLLECTION OF ASSESSMENTS. That in accordance with said Improvement Statutes, it shall be the duty of the City and County of Honolulu to proceed forthwith to notify, by letter and by posting upon the lands assessed, the several owners, lessees and occupants respectively, so far as known, of the several amounts assessed on the respective properties, and of the date when such assessments are payable as hereinafter provided. It shall also be his duty to collect said assessments and to set aside all moneys so collected in a special fund or funds for said Frontage Improvement.

SECTION 10. LIEN. All assessments herein made shall be a lien against each lot or parcel of land assessed, according to the respective assessments, from the date of the first publication of this Ordinance until paid, and shall have priority over all other liens except the lien of property taxes and liens for other public purposes; and in case assessments become delinquent, the accrued interest and other charges authorized by the Improvement Statutes in enforcing the payment of the same shall be satisfied out of said lien.

SECTION 11. PAYMENT OF THE WHOLE OF ASSESSMENTS. That all assessments herein made shall be due and payable and must be paid to said Treasurer within thirty (30) days after the date of the last publication of this Ordinance; Provided, that any such assessments may, at the election of the owner of the land assessed, be paid in installments, with interest, as hereinafter provided.

SECTION 12. PAYMENT OF ASSESSMENTS IN INSTALLMENTS. In case of an election, either by act of the owner or other interested party or by operation of law, to pay an assessment in installments, the assessments herein made shall be due and must be paid to said Treasurer in Ten (10) equal annual installments of principal, the first of said installments of principal to be due and payable and must be paid within thirty (30) days after the date of the last publication of this Ordinance; and all subsequent installments of principal, together with interest on the whole of the unpaid balance of principal, at the rate of six per cent (6%) per annum, shall be due and payable annually thereafter, dating from the date of last publication of this Ordinance.

SECTION 13. ENFORCEMENT OF PAYMENT. Failure to pay any installment, whether of principal or interest, within thirty days after the date when it shall first have become due, shall cause the whole of the unpaid principal and accrued interest to become due and payable immediately, and the whole amount of unpaid principal, and accrued interest shall thereafter draw interest at the rate of one per cent per month or fraction thereof until the day of sale made as provided in the Improvement Statutes.

Provided, that at any time prior to the day of sale the owner may pay the amount of all delinquent installments with interest on the whole amount of unpaid assessment at one per cent per month or fraction of a month, as aforesaid, and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been made. The owner of any land assessed, not in default as to any installment or payment, may at any time, after the expiration of the first thirty day period, pay the entire unpaid principal with interest thereon to the next annual date for the payment of installments. The owner of any undivided interest in any land, may pay the whole assessment and may have a joint or several right of action at law in or against any other owner or owners of any interest in such land for their proportionate share in said assessment.

SECTION 14. CERTIFIED COPIES. That upon the final publication of this Ordinance a certified copy hereof and of its due publication, and of the Corrected Map, Assessment Roll, the list of owners, lessees and occupants so far as known, and the summary of descriptions of property abutting upon said Frontage Improvement, all on file as aforesaid, shall be forthwith made and delivered by the Clerk of the City and County to the Treasurer of the City and County of Honolulu, Territory of Hawaii.

SECTION 15. DISPOSITION OF ASSESSMENTS COLLECTED. All moneys collected from said assessments by the Treasurer of the City and County as cash payments of the whole assessment, or of one or more installments, due or paid prior to the authorization of any bond issue for said improvement, shall be entered in said Special Improvement Fund and applied toward the cost of the improvement authorized.

All moneys due and collected thereafter as part of any subsequent installments and interest, and covered by any bond issue respecting the authorized improvements in said Frontage Improvement made under the Improvement Statutes, shall be set aside by the Treasurer of the City and County in a Special Improvement Bond Fund for said Frontage Improvement and applied solely as provided in said Improvement Statutes.

SECTION 16. CONSTITUTIONALITY. If any section, or any part or clause of any section of this Ordinance or of the Improvement Statutes, be decided by the Courts to be unconstitutional or invalid, the same shall not affect the validity of this Ordinance as a whole, or of any section or part thereof which can be given effect without that so decided to be unconstitutional or invalid.

SECTION 17. This Ordinance shall take effect on its approval.

Date of Introduction, October 9th, 1917.

Introduced by CHAS. N. ARNOLD, Supervisor.

Approved this 18th day of October, A. D. 1917.

JOSEPH J. FERN, Mayor, City and County of Honolulu.

T. H. 6921—Oct. 19, 20, 22.

LEGAL NOTICES

IN THE CIRCUIT COURT OF THE First Judicial Circuit, Territory of Hawaii—At Chambers—in Probate.

In the Matter of the Estate of Samuel Scoville Paschal, Deceased.

Notice to Creditors.

Notice is hereby given that letters of ancillary administration with the Will Annexed have been issued to Hawaiian Trust Company, Limited, a Hawaiian corporation, as ancillary administrator with the Will Annexed of the Estate of Samuel Scoville Paschal, late of Montgomery County, State of Maryland.

All creditors of the said Samuel Scoville Paschal are hereby notified to present their claims against the said estate, with proper vouchers or duly authenticated copies thereof, even if the said claim be secured by a mortgage upon real estate, to the said Hawaiian Trust Company, Limited, at its office at 120 South King Street, Honolulu, within six (6) months from the date of the first publication of this notice, or they will be forever barred.

And all persons indebted to the said Samuel Scoville Paschal are hereby notified to make immediate payment to the undersigned as such ancillary administrator.

Dated, Honolulu, T. H., October 6, 1917.

HAWAIIAN TRUST CO., LTD., Ancillary Administrator with the Will Annexed of the Estate of Samuel Scoville Paschal, deceased.

FREAR, PROSSER, ANDERSON & MARX, Attorneys for Ancillary Administrator.

6910—Oct. 6, 13, 20, 27, Nov. 3.

NOTICE TO CREDITORS.

The undersigned having been appointed administrator of the Estate of Iwai, late of North Kohala, Hawaii, notice is hereby given that all persons owing the said Estate pay their said debts to the undersigned, and all persons having any claims against the deceased present the same within six months duly authenticated and itemized, or they will be forever barred.

H. L. HOLSTEIN, Administrator Estate of Iwai, Deceased, North Kohala.

Kohala, Oct. 1, 1917.

6910—Oct. 6, 13, 20, 27.

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By Appointment:

A. POMBO ("Bumps")

Walluku, Maui.

Educational News of Special Interest To Teachers-In Hawaii's Schools

By Vaughan MacCaughey, College of Hawaii

COMMUNITY HYGIENE

This is the title of an exceedingly well-written book for school children by the famous Dr. Woods Hutchinson. He has done for physiology what Ingersoll did for the dollar watch. The present volume, one of a series, is replete with suggestive material. It is red-blooded and thoroughly modern. It is the sort of book that should be in every school library in Hawaii. There are 316 pages and many good pictures. It is published by Houghton, Mifflin Company, Boston. The volume fairly tingles with the modern spirit of community welfare. Teachers who are really interested in teaching hygiene will read this book.

THE SCHOOLS AND THE FOOD COMMISSION

Perhaps one of the most important lines of work of the Territorial Food Commission is the distinctively educational work. In this the schools of Hawaii can be of genuine service. The data published by the Food Commission can be utilized directly in the subject-matter of the school curriculum. The schools reach, directly and indirectly, all the homes in the territory. The school teacher can easily inform herself concerning the facts as to the food supply of her own particular school constituency. Here are a few suggestive questions:

What are the people in my school community raising in their own gardens or on their own land for food?

What might they raise (from the practical standpoint) that might materially increase their food supply?

What foods are they importing now? Are the other foods that might be imported or substituted more advantageously from the standpoint of food conservation?

What does the average school child in my school usually eat for breakfast for lunch? for supper. Are there any improvements to be suggested in this diet?

What can I do, in a concerted way, to interest my pupils in the food conservation program of Hawaii?

THE PROHIBITION ADVOCATE

This is a four-page circular published regularly by the Anti-Saloon League of Hawaii. It is packed full of accurate information, mostly local, concerning the fight against the liquor traffic. It should vitally interest Hawaii's school teachers, as well as others. The school is one of the great character-forming institutions of society, just as the liquor business is one of the great character-destroying agencies of modern society. The ultimate product of the saloon is the drunkard. The community which supports both schools and saloons is in the paradoxical situation of extravagantly wasting on the one hand that which it is laboriously endeavoring to establish on the other. The law prohibits the presence of a saloon within a certain distance of a school. The day is rapidly approaching in which the saloon will not be tolerated in the same community with the school.

The last issue of the Advocate contains an itemized list of nearly forty crimes, due to liquor, for August and September. This is practical material for civics teaching.

THE PHILIPPINE SCHOOLS

One of the finest achievements of the American democracy is the public school system in the Philippine Islands. The last annual report of the Director of Education, 1916, has just been received, and contains much material of interest to Hawaii. The following data will indicate the size of the Philippine school system:

Number of schools 4,400.
Number of teachers 10,700.
Average daily attendance 465,000.
Number of school libraries 750.
Number of school gardens 50,900.

The industrial program has been determined with reference to the needs of the community. Home agricultural work is a school requirement. Clubs whose members undertake definite agricultural projects are now organized in schools.

The bureau cooperated with officers of the Philippine Health Service in the conduct of a systematic medical inspection of school children.

An entirely new feature of the garden work was the keeping of Pupils' Daily Record in Gardening. The proper use of this publication, of which 30,000 copies were in the hands of pupils during the year gave instruction in the keeping of records and aided in estimating the value of the labor expended in production. Pupils incidentally received valuable training in neatness, penmanship, arithmetic, and English.

Several years ago athletics for every pupil became a slogan of the Bureau of Education. The idea thus expressed was achieved much sooner than was expected. Over 95 per cent of all pupils in the public schools are now taking active part in some form of athletics.

OPPORTUNITIES FOR TEACHERS OF HISTORY IN HAWAII

How the lessons of the great war may be taught in the school room is told in "Opportunities for History Teachers," just issued by the United States Bureau of Education for distribution throughout the United States. In its appeal to teachers the Bureau says:

"The nation has finally been drawn into a great war, a war which demands for its successful prosecution not only efficient and courageous service in the army and navy, but also the loyal cooperation of millions of men and women who are not enrolled in the fighting forces nor directly responsible for the civil administration on which those forces depend.

enough at any time, but it is peculiarly so in this war whose meaning for the individual citizen is not so easily brought home. In 1823 and 1827, when the Monroe Doctrine was under discussion, Daniel Webster referred to the people who thought that Americans had no interest in the European system of mutual insurance for hereditary rulers against popular movements. What, they said, have we to do with Europe? The thunder it may be said, rolls at a distance. The wide Atlantic rolls between us and danger; and, however others may suffer, we shall remain safe. Webster's answer to this question was strikingly similar to some of the utterances of President Wilson: 'I think it is a sufficient answer to this to say, that we are one of the nations of the earth. We have as clear and interest in international law as individuals have in the laws of society.' That was said long before the steamship, the submarine, and the wireless had broken down still further our splendid isolation. Today we are fighting for our own rights, but over and above those special rights of our own we are fighting for international law itself, without which no nation can be safe, least of all those democratic governments which are less effectively organized for war than for peace.

"No one can take an intelligent part in a great conflict for the safety of democracy under an orderly system of international law unless he is really interested in and knows something about other nations than his own—about the differences between a republican government like our own or that of France or the scarcely less democratic constitution of Great Britain on the one side, and in sharp contrast to all of these, a strongly monarchical system like that of the German Empire, in which most important measures affecting the national welfare may be practically determined by a single hereditary sovereign or a small group of such sovereigns."

HOLLAND HOUSE HUNTER PERSON WITH BIG TASK

[By Associated Press]

AMSTERDAM, Netherlands. — The house-hunter in Holland in the days of the great world-war of 1917 is assuredly an object for pity. The scarcity of houses for rent at Amsterdam, the Hague and other centers has greatly increased because of war's interference with the housebuilding industry and of the influx of foreign population into the Netherlands. At the Hague, for instance, of Belgians alone there are thousands who have temporarily settled. The lack is particularly felt in respect of apartments—the Dutch "upper house" or "lower house"—ranging between \$200 and \$300 in rent.

So keen was the hunt after houses in Amsterdam recently that high rewards were offered for addresses of houses to let. Races have taken place, and bribing has been practiced to find homes. If in the morning a house was to let, in the afternoon it was let. In the brief meantime thirty or forty prospective tenants had rung the bell and asked to see it.

The result is that landlords have become more and more particular, and their demands have multiplied. A special law was passed by Parliament to prevent the undue inflation of rents, so that the natural effect of the demand has been artificially prevented. Certain classes of houses are undeniably save by purchase, and the purchase prices have risen enormously, certain houses changing hands rapidly at an ever-mounting price.

It doesn't make any difference what kind of a car you have, you can keep

Where Shall Your New Home Be?

Naturally, it should be in a strict residential neighborhood, where the purchase of property is sure to prove a profitable investment.

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